

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**HANS HAROLD ANDERSEN,**

**Plaintiff,**

**vs.**

**MIDLAND LUTHERAN COLLEGE,  
n/k/a MIDLAND UNIVERSITY,**

**Defendant.**

**8:11CV93**

**ORDER**

This matter is before the court on the parties' objections to testimony Nancy Harms, Ph.D., gave during her deposition on January 13, 2013. The court makes the following rulings on the parties' objections and the parties shall make the redactions in the videotape deposition set forth below:

<b>Page: Line</b>	<b>Objection</b>	<b>Court's Ruling</b>	<b>Redaction (page: line)</b>
59: 9	Improper questioning of the witness from a deposition	Overruled	59: 9-11
71: 5	Hearsay; move to strike	Overruled	71: 5-6, 8-9
71: 19	Hearsay; foundation	Overruled	71: 19-20
72: 5	Hearsay; foundation	Overruled	72: 5-6
72: 24	Hearsay; foundation	Overruled	72: 24-25
73: 23	Narrative	Sustained	73: 21 starting at "first of all"-25
85: 13	Hearsay; foundation	Overruled	85: 13, 15
86: 4	Hearsay; foundation	Overruled	86: 4-5
88: 4	Hearsay; foundation; move to strike	Overruled	88: 1-2, 4-13
88: 24	Hearsay; foundation	Overruled	88: 23-25 89: 1-2
89: 25	Hearsay; foundation; move to strike	Overruled	89: 23, 25 90: 1-5
91: 9	Hearsay; foundation	Sustained	91: 9-25 92: 1-7
93: 5	Foundation	Overruled	93: 5-6

93: 11	Foundation	Overruled	93: 11-12
94: 17	Relevance	Overruled	94: 16-18
94: 24	Hearsay; foundation	Overruled	94: 24-25
95: 9, 11	Hearsay; foundation	Overruled	95: 9, 11
95: 18	Hearsay; foundation; move to strike	Overruled	95: 18-19
96: 8	Relevance	Overruled	96: 8, 10
96: 16	Relevance	Overruled	96: 16
96: 20	Relevance	Overruled	96: 20
96: 23	Hearsay; foundation, move to strike	Overruled	96: 23-24

**IT IS SO ORDERED.**

Dated this 8th day of February, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge